

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

GWACS Armory, LLC,)	
)	
Plaintiff,)	Case No.: 4:20-cv-341-JDR-SH
)	(BASE FILE)
v.)	Consolidated with:
)	21-cv-107-JDR-SH
KE Arms, LLC, et al,)	
)	
Defendants.)	

PRETRIAL ORDER

I. This is an action for: misappropriation of trade secrets and breach of contract. Plaintiff, GWACS Armory, LLC (“GWACS”) and Defendant, KE Arms, LLC (“KEA”), entered into a Mutual Nondisclosure Agreement dated June 2, 2015 (the “NDA”). GWACS alleges it shared trade secrets and proprietary information, as defined in the NDA, with KEA pursuant to the NDA, including information about GWACS’s monolithic polymer lower receivers called the CAV-15 MKIII and MKIV. GWACS alleges KEA used its trade secrets and proprietary information for its own benefit in violation of trade secret law and the NDA. KEA denies the allegations of any wrongdoing and alleges there is nothing proprietary or trade secret related to the CAV-15.

The pleadings which raise the issues herein are: Armory’s Complaint [Dkt. #2]; Armory’s Motion for Summary Judgment [Dkt. # 121]; KEA’s Counterclaims [Dkt. #49]; KEA’S Motion for Summary Judgment [Dkt. 117]; and the claims remaining herein were determined by the Opinion and Order of the Court [Dkt. #191].

II. Federal Jurisdiction is invoked upon the ground:

- a. Diversity of citizenship pursuant to 28 U.S.C. § 1332(a)(1). GWACS Armory, LLC is an Oklahoma limited liability company and a citizen of the State of Oklahoma. KE Arms, LLC is an Arizona limited liability company and a citizen of Arizona. The matter in controversy herein exceeds the sum or value of \$75,000, exclusive of interest and costs.
- b. Federal question pursuant to 28 U.S.C. § 1331. Pursuant to 18 U.S.C. § 1836(b)(1) provides, “[a]n owner of a trade secret that is misappropriated may bring a civil action under this subsection if the trade secret is related to a product or service used in, or intended for use in, interstate or foreign commerce.

III. Remaining Claims and Counterclaims.

- a. Plaintiff’s Claims:

- i. Misappropriation of Trade Secrets pursuant to 18 U.S.C. § 1832 *et seq.* and Okla. Stat. tit. 78, § 85 *et seq.*, related to the design, manufacture, and/or features of the CAV-15 MKIII and MKIV; GWACS's financial condition; GWACS's new product pricing; that GWACS was seeking investors; the amount of the investment needed/sought by GWACS; its inventory; and its sales data.
- ii. Breach of Contract (Mutual Nondisclosure Agreement dated June 2, 2015, between GWACS Armory, LLC and KE Arms, LLC).

b. Defendant's Counterclaim:

- i. Declaratory Judgment

IV. Admitted Facts:

- a. GWACS is an Oklahoma limited liability company with its principal place of business in Tulsa County, State of Oklahoma, and is a citizen of Oklahoma.
- b. KEA is an Arizona limited liability company with its principal place of business in Maricopa County, Arizona, and is a citizen of Arizona.
- c. GWACS and KEA entered into a Mutual Nondisclosure Agreement dated June 2, 2015, the NDA.

V. Facts Not Admitted But Not Contested at Trial by Evidence to the Contrary.

All other facts relating to Plaintiff's allegations are contested and must be proven by admissible evidence at trial.

VI. Specific Facts, Stipulations, Admissions, and Other Matters Agreed Upon.

None

VII. Issues of Law to be Litigated.

- a. Whether GWACS's owned trade secrets as defined by 18 U.S.C § 1839(3) and Okla. Stat. tit. 78, § 86.
- b. Whether GWACS's disclosed trade secrets to KEA.
- c. Whether KEA ever used any of GWAC's trade secrets or disclosed any of GWAC's trade secrets to an unauthorized third party.

VIII. Each party's particularized contentions as to the specific facts that are disputed.

- a. Plaintiff's contentions:

- i. GWACS contends that KEA was not in the process of offering or developing a polymer lower receiver when KEA entered into the NDA with GWACS.
- ii. GWACS contends it took reasonable measures to keep its need, and intended use, for additional funding; plans for future development of its CAV-15 lower receivers which it would name the CAV-15 MKIII and MKIV; approximate material costs; rate of production; pricing; financial projections; and renderings of the CAV-15 MKIII and MKIV secret.
- iii. GWACS contends it disclosed its trade secrets and proprietary information to KEA pursuant to its NDA with KEA.
- iv. GWACS contends that KEA used its trade secrets without express or implied consent, after disclosure thereof to KEA and others under a duty to maintain the secrecy of GWACS's trade secrets, and KEA knew or should have known the trade secrets were acquired by improper means, which includes breach of their duty to maintain secrecy.
- v. GWACS contends that KEA used its knowledge of GWACS's need, and intended use, for additional funding; plans for future development of its CAV-15 lower receivers which it would name the CAV-15 MKIII and MKIV; approximate material costs; rate of production; pricing; financial projections; and renderings of the CAV-15 MKIII and MKIV for its own benefit to develop competing products after learning such information and that GWACS would essentially be leaving the marketplace.
- vi. GWACS contends that it was damaged as a result of KEA's misappropriation of its trade secrets and breach of the NDA.
- vii. GWACS contends that KEA was unjustly enriched by its misappropriation of GWACS's trade secrets.
- viii. GWACS contends that KEA willfully and maliciously misappropriated GWACS's trade secrets, and that it is entitled to punitive damages as a result thereof.
- ix. GWACS contends that KEA used and exploited its trade secrets and proprietary information in breach of the NDA.
- x. GWACS contends it was damaged by KEA's use and exploitation of its trade secrets and proprietary information.

b. Defendant's Contentions:

- i. KEA disputes GWACS had or properly maintained any trade secrets.

- ii. KEA disputes GWACS ever actually disclosed any trade secrets as required under the NDA.

IX. A particularized statement of the injunctive relief, declaratory relief, and/or damages claimed for each claim and counterclaim.

a. Plaintiff's Damages Claims.

- i. Misappropriation of Trade Secrets. Injunctive relief from continued misappropriation of GWAC's trade secrets, plus damages in the amount of \$2,600,000.00, and punitive damages of \$5,200,000.00, pursuant to 18 U.S.C. § 1836(b)(3). In the alternative, in lieu of damages measured by any other methods, a reasonable royalty for KEA's unauthorized use of GWAC's trade secrets, pursuant to 18 U.S.C. § 1836(b)(3)(B)(ii).
- ii. Breach of Contract. Damages in the amount of \$2,600,000.00, pursuant to Okla. Stat. tit. 23, § 21.

b. Defendant's Declaratory Relief Claims.

- i. That GWACS never had or ever properly maintained any trade secrets.
- ii. That GWACS never actually disclosed any trade secrets as required under the NDA.
- iii. Assuming, arguendo, GWACS shared trade secrets with KEA, that KEA never disclosed them in violation of the NDA.

X. Witness Lists.

a. Plaintiff's Witness List:

	Name and Address	Subject of Testimony
1.	Jud Gudgel c/o JONES, GOTCHER & BOGAN P.C. 15 East Fifth St. Suite 3800 Tulsa, OK 74103	Mr. Gudgel is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
2.	Shel Jones c/o JONES, GOTCHER & BOGAN P.C. 15 East Fifth St.	Mr. Jones is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the

	Suite 3800 Tulsa, OK 74103	damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
3.	Scott Merrill c/o JONES, GOTCHER & BOGAN P.C. 15 East Fifth St. Suite 3800 Tulsa, OK 74103	Mr. Merrill is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
4.	Russell Anderson c/o JONES, GOTCHER & BOGAN P.C. 15 East Fifth St. Suite 3800 Tulsa, OK 74103	Mr. Anderson is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
7.	KE Arms, LLC, Rule 30(b)(6) Designee c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	KE Arms, LLC is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, KEA sales of KP-15 and related products KP-9 and related products; and as to any other matter relevant to this action which may be elicited by counsel at trial.
9.	Russell Phagan c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	Mr. Phagan is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint; KEA sales of KP-15 and related products KP-9 and related products; and as to any other matter relevant to this action which may be elicited by counsel at trial.
11.	Karl Kasarda c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	Mr. Kasarda is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint; and as to any other matter relevant to this action which may be elicited by counsel at trial.
14.	Iain Harrison c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	Mr. Harrison is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint;

		and as to any other matter relevant to this action which may be elicited by counsel at trial.
15.	Jovan Beltran c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	Mr. Beltran is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint; and as to any other matter relevant to this action which may be elicited by counsel at trial.
16.	Mike Kenny c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	Mr. Kenny is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, KEA sales of KP-15 and related products KP-9 and related products; and as to any other matter relevant to this action which may be elicited by counsel at trial.
17.	Paul Levy c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	Mr. Levy is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint; KEA and Brownells, Inc.'s sales of KP-15 and related products KP-9 and related products; development of the KP-15 and as to any other matter relevant to this action which may be elicited by counsel at trial.
18.	Randy Sperry c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, NV 89145	Mr. Sperry is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint; and as to any other matter relevant to this action which may be elicited by counsel at trial.

b. Defendant's Witness List:

	Name and Address	Subject of Discoverable Information
1.	Mike Kenney c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, Nevada 89145	Mike Kenney is the entity representative of KE Arms, LLC ("KEA"), and is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other

		matter relevant to this action which may be elicited by counsel at trial.
2.	Russell Phagan c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, Nevada 89145	Mr. Phagan is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
3.	Michel "Shel" Jones c/o JONES, GOTCHER & BOGAN, P.C. 15 East Fifth St. Tulsa, OK 74103	Shel Jones is an employee or affiliate of GWACS Armory LLC ("GWACS"), and is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
4.	Reed Oppenheimer 1500 S Frisco Ave Apt. 8B, Tulsa, OK 74119	Mr. Oppenheimer is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
5.	Clayton Woodrum 321 S Boston Ave Ste. 200, Tulsa, OK 74103	Mr. Woodrum is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.

XI. Exhibit Lists.

a. Plaintiff's Exhibit List:

No.	Document Description	Objection
40.	Online Post 9/16/11 CAV-15 for Sale	Relevance -

		Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
7.	Email to Sinistral from Shel re Inquire About Calvary Arms for Sale (KEA 0088-0092)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
211.	Email Jones/Phagan 9/28/11 (Armory 6-11)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
43.	Emails between GWACS & SST Re: Clarifications of sale in response to GWACS Questions 09/28/11 (Armory 6-11)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
46.	LOI to SST & Emails 10/4/11 (KEA 96-100)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
44.	SST NDA dated 10/6/11 (Armory 207-209)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
42.	Emails Phagan/Jones 10/31/11-11/19/11 (KEA 155-157)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901

6.	Asset Purchase and Sales Agreement dated 11/22/11 (KEA 178-186 & KEA 39-40)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
53.	Email Phagan to Jones FedEx Packages 1/11/12 (KEA 206-208)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
138.	Email from Phagan to Armory re CAV-15 Enhancements 1/27/13 – (KEA 2081)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
139.	Email Phagan to Jones 2/27/13 (KEA 2082)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
47.	Email Phagan to Jones 2/8/13 (Armory 202-204)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
48.	Phagan Resume 2013 (Armory 205-206)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
49.	Email Phagan to Jones 2/25/13 Sales Rep & NDA (Armory 2)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
26.	Phagan Sales Rep Agreement 2/25/13 (Depo Exhibit 26)	Relevance -

		Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
27.	SST NDA 5/9/13 (Depo Exhibit 27)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
142.	Email Phagan to Jones 3/27/13 (KEA 2085)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
146.	Emails Phagan/Jones 5/9/13 (KEA 2101-2106)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
8.	Brownells NDA 5/31/13 (KEA 44-46)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
56.	Email Phagan to Jones 6/2/15 Re: KEA NDA (Armory 243)	Relevance - Fed. R. Evid. 401 & 403
212.	KEA NDA 6/2/15 (KEA 41-43)	
23.	Armory April 2015 Investment Executive Summary (Armory 235-242)	Relevance - Fed. R. Evid. 401 & 403
233.	Email Jones to Phagan 6/2/15 Re: Invest. Opp. (Armory 432-436)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
234.	Email Phagan/Jones 6/2/15 Re: Suarez Group (Armory 411)	Relevance - Fed. R. Evid. 401 & 403 Authentication -

		Fed. R. Evid. 901
54.	Emails Phagan/Jones 6/17/15 Re: Mold cad (KEA 215)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
11.	Brownells NDA 1/24/16 (KEA 47-49)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
57.	Email Levy to InRange Re: Brownells WWSD 4/9/18 (KEA 474)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
236.	Emails Jones/Levy Re: Armory Next Gen. 11/13/17- 4/9/18 (Armory 488-497)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
155.	Emails Levy/InRangeTV 4/13/18 (KEA 532)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
156.	Emails Jones/Levy 4/18/18 – 4/19/18 (Armory 261-262)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
24.	Armory April 2015 Financing Executive Summary (Armory 144-160)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
158.	Email Brownells WWSD Variance 4/20/18 (KEA 411)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901

159.	Emails Levy/Jones GWACS Armory CAV 15 4/20/18 (Armory 258-260)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
240.	Email Levy to Jones New Prod. Sub. 5/17/18 (Armory 543)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
161.	Brownells Projected CAV-15 Orders 5/17/18 (Armory 110)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
90.	Emails Levy/InRangeTV/Gudgel 6/5/18 (KEA 378)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
63.	Text Messages b/w Phagan and Jones (Armory 311-333)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
241.	Email Jones to Levy Re: Update 6/28/18 – 9/11/18 (Armory 546-552)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
58.	Emails Levy/InRangeTV 9/6/18-9/10/18 (KEA 560-561)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
59.	Email Levy to Jones Receiver Update 9/10/18 (Armory 4-5)	Relevance - Fed. R. Evid. 401 & 403
60.	Emails Gudgel/Levy & Levy/Phagan 9/11/18 (KEA 440-441)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
61.	Emails Levy/Jones & Levy/KEA&InRange 9/11/18 (KEA 482-483)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
62.	Emails Levy/Phagan & InRange 9/11/18 (KEA 721-723)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901

14.	Emails Levy/Gudgel 10/5/18-10/29/18 (KEA 402-403)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
242.	Brownells P.O. #09509744 11/16/18 (Armory 556-558)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
4.	GWACS Facebook Post 01/10/2019 MKIII & MK 4 (Armory 0001)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
28.	Brownells Catalog CAV-15 MKII & MKIII (Depo Exhibit 28)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
65.	Email Phagan to Levy Re: GWAC Listing 8/15/19 (KEA 699-700)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
66.	Email Phagan to Levy WWSD 2020 8/27/19 (KEA 885)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
67.	Email Phagan to Levy Re: MK Submission 9/10/19 (KEA 705-709)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
68.	Email Phagan to Levy Re: Brownells WWSD 9/18/19 (KEA 724-725)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
165.	Email Phagan to Levy Re: PO 09585734 9/30/19 (KEA 704)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
91.	Email Phagan to Levy/InRangeWWSDMedia/Press 10/8/19 (KEA 701)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
69.	Email Phagan to Levy Re: Dist. Mk3 Design 10/9/19 (KEA 702-703)	Relevance - Fed. R. Evid. 401 & 403

		Authentication - Fed. R. Evid. 901
70.	SST Post The KE Arms Poly. Rec. 11/22/19 (Depo Exhibit 70)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
71.	Jerking the Trigger Article, It Lives... 11/22/19 (Armory 163-168)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
72.	Email Phagan to Levy RECOIL ad 11/22/19 (KEA 710-718)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
35.	RECOIL article KE Arms – Mk3 Polymer Receiver (Armory 171-177)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
73.	Email Phagan to Levy MK3 Wireframe 11/27/19 (KEA 693-698)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
74.	Emails Phagan/Levy 11/27/19 (KEA 729-730)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
187.	Branson Invoices (Branson 34-40 & 42)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
77.	Email Phagan to Levy/Brownells 1/3/20710 (KEA 633-635)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
169.	Emails Levy/Phagan Re: WWSD for IWA 1/11/20 (KEA 664)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901

168.	Email Phagan to Levy Re: PROTO-01 1/16/20 (KEA 598)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
170.	Email Brownells/Levy/Phagan Shot Show 1/20/20 (KEA 645-649)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
79.	Email Phagan to Levy Drop Box Link for Photos 1/20/20 (KEA 566)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
171.	Email Levy to Phagan Pre-Orders 1/27/20 (KEA 640)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
31.	Brownells website KP-15 WWSD 2020 (Armory 182)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
32.	Brownells website KP-15 WWSD 2020 (Armory 183-184)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
33.	Brownells website KP-15 WWSD 2020 (Armory 185)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
37.	2 nd Amendment Wholesale Website 11/13/20 (Armory 191-193)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
75.	InRange WWSD 2020 Safety & Instruction Manual (KEA 927-950)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901

173.	Email Phagan to Levy Re: Release Date 2/12/20 (KEA 591)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
199.	Emails Sperry/Beltran/Phagan Serial Insert 3/17/20 (MDI 228-231)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
16.	Emails Armory to KEA Cease & Desist 4/7/20 (KEA 67-68)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
188.	Emails Phagan/Taylor/Sperry/Beltran 4/3/20-4/8/20 (Branson 1-3)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
192.	KP-15 CAM file data screenshot (Depo Exhibit 192)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
80.	Email Phagan to Levy Poly. Rec. Model Update 4/16/20 (KEA 596)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
92.	Roughrider/Wraithworks Variance 5/26/20 (KEA 1169-1172)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
190.	Emails Phagan/Beltran/Pivot Point 5/20/20-5/28/20 (Depo Exhibit 190)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
201.	Emails Phagan to Pivot Point 5/20/21-5/21/21(Depo Exhibit 201)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
178.	Email Levy/InRange 2/4/21 & Royalty Agreement 4/12/18 (KEA 562-563)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
179.	Emails Levy/Phagan Re: WWSD First Batch 3/2/21 (KEA 662)	Relevance - Fed. R. Evid. 401 & 403

		Authentication - Fed. R. Evid. 901
205.	MK3 Gate Style Comparison (MDI 3131)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
93.	2 nd Amendment Wholesale Mailer WARP-15 (Armory 216)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
208.	Tool & Design Group Checks (T&DG 1-9)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
209.	KEA payments to TDG spreadsheet (T&DG 10)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
222.	Tool & Design Group Checks (Zion STD 91-138)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
222a	Toll & Design Group Bank Statements (Zion STD 1-89)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
223.	RSR Group P.O.'s & Communications (RSR 2-36)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
228.	Brownell's KE Arms Purchase Orders; Dated September 21, 2021 (KEA 970-1086)	Relevance - Fed. R. Evid. 401 & 403
246.	Annual Firearms Manufacturing & Expert Report for the Year 2020 Interim* (KEA1134 & KEA1157)	Relevance -

		Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
230.	Brownells' Model/Serial No., KE Arms Manufacturing List dated December 2, 2020 (KEA603 - KEA606)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
181.	Demonstrative Exhibit CAV-15 & KP-15 Buttstock Dims (Depo Exhibit 181)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
182.	Demonstrative Exhibit CAV-15 & KP-15 Buttstock Dims (Depo Exhibit 182)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
191.	Demonstrative Exhibit CAV-15 & KP-15 Buttstock Surface Knit Line Dimensions (Depo Exhibit 191)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
243.	Armory CAV-15 Sales Documents (Armory 264-295)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
200.	Email from Phagan to Mow, Beltran & Mike@KEArms dated 5/14/2021 (MDI 163)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
247.	Molded Devices Documents (MDI 000001-90)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
248.	9/17/21 Email Re: KEA Current Pricing (KEA 967)	Relevance -

		Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
38.	Web Archive Article: KP-15 Polymer Receiver (Armory-307-308)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
36.	Purchase Page: KE Arms LLC – AR-15 KP-15 Stripped Lower Receivers Polymer (Armory 179-180)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
34.	Letter from Nealon to KE Arms dated 2/25/2016 (Armory-0118)	Relevance - Fed. R. Evid. 401 & 403 Authentication - Fed. R. Evid. 901
249.	KEA Unit Costs (KEA 1098)	Relevance - Fed. R. Evid. 401 & 403
250.	Brownell's PO's with KEA (KEA 970-982, 983-1008,1009- 1040, 1041-1068, 1069-1086 975-1086)	Relevance - Fed. R. Evid. 401 & 403
251.	KEA 2 nd Amendment Wholesale Sales Reports (Pages 1-3)	Relevance - Fed. R. Evid. 401 & 403
252.	KEA Brownells Total Sales 1/1/15-9/23/21 (Pages 1-58 & 1-22)	Relevance - Fed. R. Evid. 401 & 403
253.	KEA Sales to Brownells Jan. 1, 2019 – Sept. 29, 2021 KEA 1090)	Relevance - Fed. R. Evid. 401 & 403
254.	KEA Salse by Month Charts (KEA 1091)	Relevance - Fed. R. Evid. 401 & 403
255.	KEA Sales by Item Summary Aug. 1, 2019 – Sept. 23, 2021 (KEA 1092)	Relevance - Fed. R. Evid. 401 & 403
256.	KEA KP-15 Total Sales Cash (KEA 1093)	Relevance - Fed. R. Evid. 401 & 403
257.	KEA Total sales to RSR Group (KEA 1094)	Relevance - Fed. R. Evid. 401 & 403
258.	KEA Salse Wraithworks (KEA 1095)	Relevance - Fed. R. Evid. 401 & 403

259.	KEA Sales Summaries (KEA 3047-3049)	Relevance - Fed. R. Evid. 401 & 403
260.	RSR Group PO's (RSR 0001-0012)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
261.	RSR Group Email Re: Proposed Mo. Ship 6/17/21 (RSR 0018)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
262.	RSR Group Emails & Pricing 05/26/21 (RSR 0022)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
263.	RSR Group Emails & Pricing (RSR 0023-0026)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
229.	KEA Tax Returns 2018-2020 Taxes (KEA1099 – 1107)	Relevance - Fed. R. Evid. 401 & 403
264.	GWACS New Products Renderings (KEA 916 – 919)	Relevance - Fed. R. Evid. 401 & 403
265.	10/06/20 Colt Record from KEA (KEA 2117)	Relevance - Fed. R. Evid. 401 & 403
222.	Tool & Design Group Bank Statements (Zion STD 0001-0071)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
267.	Demonstrative Exhibit CAV-15 & KP-15 Pins	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
194.	Jordan Bowles' Expert Report (Bowles 1-32)	Relevance -

		Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901
266.	Michael Rosten's Expert Report (40 pages)	Relevance - Fed. R. Evid. 401 & 403 Hearsay - Fed. R. Evid. 801 & 802 Authentication - Fed. R. Evid. 901

b. Defendant's Exhibit List:

No.	Description	Objection
1	Mutual Nondisclosure Agreement between GWACs and KE Arms, dated June 2, 2015 (KEA000041-KEA000043)	
2	KE Arms Invoices (KEA000050-KEA000054)	
3	Invoices and FFA Information (KEA000057-KEA000066)	Relevance Fed. R. Evid. 401 & 403
4	Oklahoma Secretary of State Filings for GWACS Armory, LLC and Certified Copy Certificate, dated March, 9, 2011 (KEA000227-KEA000239)	Relevance Fed. R. Evid. 401 & 403
5	Email from Russell Phagan to Paul Levy re GWACS listing/Polymer Receivers, dated August 15, 2019 (KEA000699-700)	
6	Email from Russell Phagan to Paul Levy, Roy Hill re Not for Distribution- MK3 Design in Process, dated October 9, 2019 (KEA000702-KEA000703)	
7	KP-15 – Prints (KEA001257-KEA001303)	Relevance Fed. R. Evid. 401 & 403
8	Cavalry Arms Article re Guns and Weapons for Law Enforcement, DATED February 12, 2004 (KEA001750-KEA001756)	Relevance Fed. R. Evid. 401 & 403
9	SWAT Magazine, dated October 1, 2004 (KEA001757.001-KEA001757.100)	Relevance Fed. R. Evid. 401 & 403
10	AR15.com Forum re My Ultra Lite Build, dated September 13, 2010 (KEA001758-KEA001786)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication

		Fed. R. Evid 901
11	Jerking the Trigger Article re News from GWACS Armory, dated January 31, 2013 (KEA001787-KEA001793)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
12	Jerking the Trigger Article re Assembling a CAV-15 MKII Lower Receiver, dated February 19, 2013 (KEA001794-KEA001797)	Relevance Fed. R. Evid. 401 & 403
13	Jerking the Trigger Article re Review: Echo Nine Three CAV-15 MKII Modification Package, dated March 25, 2013 (KEA001798-KEA001803)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
14	TheTruthAboutGuns Article re Coming Soon: 3D Printable AR-15 Lower with P-90 Style Stock, dated May 21, 2013 (KEA001804-KEA001805)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
15	Guns.com Article re Meet the Charon Family of 3D-Printable AR Lowers, dated June 3, 2013 (KEA001806-KEA001813)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
16	TheFirearmsBlog Article re American Tactical's \$50 OMNI Hybrid AR-15 Lower, dated November 4, 2013 (KEA001821-KEA001832)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901

17	TheFirearmsBlog Article re Gun Review: ATI Omni Gen2 Hybrid Polymer AR15 Lower, dated December 19, 2013 (KEA001833-KEA001848)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
18	WeaponsMan Article re The Latest in 3D Printed Gun Developments, dated October 13, 2014 (KEA001849-KEA001866)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
19	Jerking the Trigger Article re KE Arms and GWACS Armory Lightweight Collaboration Rifle, dated May 15, 2015 (KEA001867-KEA001869)	
20	Jerking the Trigger Article re GWACS Armory and KE Arms – Flying Too Close to the Sun, dated July 7, 2015 (KEA001870-KEA001873)	
21	SinistralRifleman Article re Training and Manufacturing Resources Coming Together, dated July 22, 2015 (KEA001874-KEA001879)	
22	Jerking the Trigger Article re Echno Nine Three GWACS Armory CAV-15 MKII Sling Mount Modification, dated April 11, 2016 (KEA001880- KEA001882)	Relevance Fed. R. Evid. 401 & 403
23	Echo Nine Three Facebook Article Link to Guns & Ammo Article re AR-15 Bantamweight, dated May 20, 2016 (KEA001883-KEA001889)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
24	GunStreamer Article re CAV-15 MKII Lower Parts Kit Installation, dated May 29, 2018 (KEA001890-KEA001906)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
25	AR15.com Forum re 3D Printed AR15 made from Nylon, dated August 30, 2018 (KEA001907-KEA001926)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901

26	Jerking the Trigger Article re KE Arms Trigger/Hammer Pins for CAV-15 MKII Receivers, dated November 19, 2018 (KEA001927-KEA001930)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
27	Sinistral Rifleman Article re Colt Monolithic Polymer Lower from the Vietnam Era, dated December 12, 2019 (KEA001931-KEA001935)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
28	Jeff's Toy Box Article re We're not the Avengers, but we can still Assemble, dated December 31, 2019 (KEA001936-KEA001966)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
29	American Tactical Article re Omni Hybrid Overview, dated November 15, 2021 (KEA002000-KEA002003)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
30	CTRL+Pew Webpage re File Drop: U-Bolt Vanguard 3D Printable AR15 Lower Receiver, dated November 15, 2021 (KEA002004-KEA002013)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
31	PK Firearms Webpage re Mag Tactical Systems Gen 4 Stripped Lower Receiver, dated November 15, 2021 (KEA002017-KEA002021)	Relevance Fed. R. Evid. 401 & 403 Authentication

		Fed. R. Evid 901
32	Email from Russell Phagan to Shel G. Jones re Take Down Pics, dated January 13, 2012 (KEA002078)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
33	Email from Russell Phagan to Shel G. Jones re Cav-15 MKI Cores and Cavaties, dated September 21, 2012 (KEA002079)	Relevance Fed. R. Evid. 401 & 403 Authentication Fed. R. Evid 901
34	Email from Russell Phagan to Shel G. Jones re Doomsday plan, dated December 18, 2012 (KEA002080)	Relevance Fed. R. Evid. 401 & 403
35	Email from Russell Phagan to Engineering, Shel G. Jones re CAV-15 enhancements, dated January 27, 2013 (KEA002081)	
36	Email from Russell Phagan to Shel G. Jones re Brownells, dated February 27, 2013 (KEA002082)	
37	Email from Russell Phagan to Shel G. Jones re Extreme Duty Pins (KEA002083)	Relevance Fed. R. Evid. 401 & 403
38	Email From Shel G. Jones to Russell Phagan, Scott Merrill re Falcon F93 Stock, dated March 27, 2013 (KEA002084)	Relevance Fed. R. Evid. 401 & 403
39	Email from Russell Phagan to Shel G. Jones re Magpul, dated March 27, 2013 (KEA002085)	Relevance Fed. R. Evid. 401 & 403
40	Email from Russell Phagan to Shel G. Jones re GWACS Armory Dealer Agreement/Pricing, dated march 27, 2013 (KEA002088-KEA002090)	Relevance Fed. R. Evid. 401 & 403
41	Email from Russell Phagan to Shel G. Jones re CAV-15 Owner's Manual/MKI Cores and Cavaties, dated April 2, 2013 (KEA002091-KEA002098)	Relevance Fed. R. Evid. 401 & 403
42	Email from Shel G. Jones to Russell Phagan re Flier for Dealers/Owner's Manual/MKI Cases, dated April 11, 2013 (KEA002099-KEA002100)	Relevance Fed. R. Evid. 401 & 403
43	Email from Russell Phagan to Shel G. Jones re Latest Drawings, dated May 3, 2013 (KEA002101-KEA002107)	
44	Email from Russell Phagan to Shel G. Jones re SLIC Pin Price Quote/Misc, dated June 20, 2013 (KEA002108)	Relevance Fed. R. Evid. 401 & 403

45	Email from Russell Phagan to Shel G. Jones re They're Learning, dated November 5, 2013 (KEA002110)	Relevance Fed. R. Evid. 401 & 403
46	Email from Shel Jones to Russell Phagan re New Polymer receivers, dated February 18, 2015 (KEA002111)	Relevance Fed. R. Evid. 401 & 403
47	Moldworx Development Invoices dated between January 7, 2020 through September 30, 2020 (KEA002154-KEA002159)	
48	Sperry Design Services Development Invoice, dated May 14, 2021 (KEA002162)	Relevance Fed. R. Evid. 401 & 403
49	Photo (KEA002383)	Relevance Fed. R. Evid. 401 & 403
50	Cav-15 Receivers (KEA002402)	Relevance Fed. R. Evid. 401 & 403
51	Photos (KEA002409-KEA002415)	Relevance Fed. R. Evid. 401 & 403
52	Photos (KEA002416-KEA002441)	Relevance Fed. R. Evid. 401 & 403
53	ArmaLite.Inc (KEA002585-KEA002589)	Relevance Fed. R. Evid. 401 & 403
54	Photos (KEA002695-KEA002697)	Relevance Fed. R. Evid. 401 & 403
55	GWACS Armory Facebook Posts dated between May 4, 2012 through January 17, 2019 (KEA002852-KEA002891)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
56	Cavalry Arms AR-15.com Forum Threads (KEA002988-KEA003012)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid

		901
57	Brownell's New Submission Form (KEA000389-KEA000395)	
58	Letter from Shawn Nealon to KE Arms, dated February 25, 2016 (Armory- 0118)	Relevance Fed. R. Evid. 401 & 403
59	CAV-15 Polymer Lower Receivers Post, dated April 6, 2012 (Armory-0120- Armory-129)	
60	Cavalry Arms CAV-15 Polymer AR-15 mold and IP for Sale- The Fire arm Blog, dated September 21, 2011 (Armory-0130-Armory-0139)	
61	GWACS Armory website (Armory-0161-Armory-0162)	
62	Jerking the Trigger Article, it Lives! KE Arms to Produce MK3 Polymer Receiver, dated November 22, 2019 (Armory-0163-Armory-0168)	Relevance Fed. R. Evid. 401 & 403
63	Shel Jones Texts (Armory-0196-Armory-0201)	
64	Invoice #108305, Dated November 3, 2016 (Armory-0210)	Relevance Fed. R. Evid. 401 & 403
65	Postcard to GWACS Armory LLC (Armory-0216)	
66	Email from Shel G. Jones to Russell Phagan, Jud Gudgel, Scott Merrill, dated June 2, 2015 (Armory-0233-Armory-0243)	
67	KP-15 vs CAV-15 Investigation, dated December 24, 2021 (BOWLES000012-BOWLES000032)	Relevance Fed. R. Evid. 401 & 403
68	Branson Invoice, dated December 27, 2013 (BRANSON000034-BRANSON000035)	
69	Branson Invoice, dated January 22, 2021 (BRANSON000036-BRANSON000041)	
70	Emerson Invoice, dated October 22, 2020 (BRANSON000042)	
71	Startup Support and Basic Operation Training (BRANSON000018-BRANSON000022)	
72	Product datasheet (MDI0000159-MDI0000160)	Relevance Fed. R. Evid. 401 & 403
73	Email from Russell Phagan to Jeffrey Mow, Jovan Beltran re Follow up, dated May 14, 2021 (MDI0000163)	Relevance Fed. R. Evid. 401 & 403
74	Email From Jeremy Deadman to Ray Scherer, Tom Star re MK3 Assembly for Moldflow, dated November 27, 2019 (MDI0000171)	
75	Email From Eric Tech to Ray Scherer, Jack Cheng re Quotation of PNM115037 – Hifill PA6 LGF30 2000 12MM, dated March 12, 2020 (MDI0000191)	Relevance Fed. R. Evid. 401 & 403
76	Email From Russell Phagan to Ray Scherer re Meeting Links, dated December 4, 2019 (MDI0000204)	Relevance Fed. R. Evid. 401 & 403

77	Email from Ashton Jantz to Ray Scherer re MK# Program, dated February 4, 2020 (MDI0000214-MDI0000221)	Relevance Fed. R. Evid. 401 & 403
78	Email From Jovan Beltran to Randy Sperry, Russell Phagan, Hayden Mciver, Ray Scherer, Jeff Mow re MK3 Serial Insert, dated March 18, 2020 (MDI0000228-MDI0000231)	
79	Drawings and Emails (SPERRY0001-SPERRY0067)	
80	Wayback Machine (Dep. Ex 25 – Jones)	Duplicate
81	Brownell’s Summer Catalog 2019-AR-15 CAV-15 Polymer Lower Receiver (Dep. Ex 28 – Jones)	
82	MKII Bisection Photos (Dep. Ex 150)	Relevance Fed. R. Evid. 401 & 403 & Duplicate
83	Email String (Dep. Ex 190 – Sperry)	Relevance Fed. R. Evid. 401 & 403
84	Email with Screenshot (Dep. Ex 201 – Beltran)	
85	Declaration of Jud Gudgel in Support of Plaintiff’s Response to Defendants’ Motion for Summary Judgment, dated August 8, 2022	Relevance Fed. R. Evid. 401 & 403
86	Kenneth King Facebook Messages (KEA003040-KEA003046)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
87	Joe Elledge Facebook Post (KEA003095-KEA003097)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
88	GWACS Statement Regarding Litigation with KE Arms LLC (KEA003161)	Relevance Fed. R. Evid. 401 & 403
89	Asset Purchase Agreement between Cavalry Manufacturing LLC and KE Arms, LLC (KEA003162-KEA003164)	Relevance Fed. R. Evid. 401 & 403

90	2012 ATF Report (KEA003165-KEA003233)	Relevance Fed. R. Evid. 401 & 403
91	2013 ATF Report (KEA003234-KEA003315)	Relevance Fed. R. Evid. 401 & 403
92	2014 ATF Report (KEA0003316-KEA003407)	Relevance Fed. R. Evid. 401 & 403
93	2015 ATF Report (KEA003408-KEA003506)	Relevance Fed. R. Evid. 401 & 403
94	2016 ATF Report (KEA003507-KEA003610)	Relevance Fed. R. Evid. 401 & 403
95	2017 ATF Report (KEA003611-KEA003721)	Relevance Fed. R. Evid. 401 & 403
96	2018 ATF Report (KEA003722-KEA003850)	Relevance Fed. R. Evid. 401 & 403
97	2019 ATF Report (KEA003851-KEA003986)	Relevance Fed. R. Evid. 401 & 403
98	2020 ATF Report (KEA003987)	Relevance Fed. R. Evid. 401 & 403
99	2020 Report (KEA003988-KEA004013)	Relevance Fed. R. Evid. 401 & 403
100	YouTube Video re GWACS CAV-15 MKII It's Back (Native File – KEA004014)	Relevance Fed. R. Evid. 401 & 403
101	GWACS Armory website (Ex 54 to Russell Phagan Declaration)	Duplicate
102	Brownells listing (Armory-0020)	
103	Colt Photos (KEA002533 – 2573)	Relevance Fed. R. Evid. 401 & 403
104	Calvary Arms SST Stock Articles (KEA001814 – 1820)	Relevance Fed. R. Evid. 401 & 403
105	DPMS take down pins (KEA002692 – 2694)	Relevance Fed. R. Evid. 401 & 403

106	Fixed A1 stock (KEA002605 – 2608)	Relevance Fed. R. Evid. 401 & 403
107	GWACS entity documents (KEA000055 – 56, KEA000227 – 239)	Relevance Fed. R. Evid. 401 & 403
108	History of the Cav 15 (KEA002050 – 2071)	Relevance Fed. R. Evid. 401 & 403
109	Telestock photos (KEA002499 – 2501)	
110	Pivot pins from other models (KEA002686 – 2694)	
111	Facebook messages and Emails from Kenneth King (KEA003040 – 3046)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
112	Email from Russell Phagan to Paul Levy re GWACS listing/Polymer Receivers, dated August 15, 2019 (KEA000224 – 225)	
113	Email from GWACS to McBride re Cav 15 dealer inquiry, dated January 15, 2013 (KEA003098 – 3114)	
114	Email from GWACS to McBride re Cav 15 dealer inquiry, dated April 17, 2013 (KEA003115 – 3118)	
115	Email from GWACS to gussie88bunny@gmail.com re submitted the form from your ‘Contact Us’ page, dated June 19, 2017 (KEA003119 – 3120)	Relevance Fed. R. Evid. 401 & 403
116	Email from GWACS to gussie88bunny@gmail.com re submitted the form from your ‘Contact Us’ page, dated June 21, 2017 (KEA003121 – 3122)	Relevance Fed. R. Evid. 401 & 403
117	Email from GWACS to gussie88bunny@gmail.com re submitted the form from your ‘Contact Us’ page, dated June 21, 2017 (KEA003123 – 3124)	Relevance Fed. R. Evid. 401 & 403
118	Email from GWACS to gussie88bunny@gmail.com re submitted the form from your ‘Contact Us’ page, dated June 21, 2017 (KEA003125 – 3126)	Relevance Fed. R. Evid. 401 & 403
119	Email from GWACS to MKO Firearms re submitted the form from your ‘Contact Us’ page, dated February 15, 2018 (KEA003127 – 3129)	Relevance Fed. R. Evid. 401 & 403
120	Email from GWACS to Blankenau re submitted the form from your ‘Contact Us’ page, dated May 15, 2018 (KEA003130 – 3131)	Relevance Fed. R. Evid. 401 & 403
121	Email from GRACS to Gregory Bowling re Limited lifetime warranty, dated February 14, 2022 (KEA003132 – 3133)	Relevance Fed. R. Evid.

		401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
122	Email from Dilleuth to KE Arms vs GWACS, dated October 2, 2022 (KEA003134 – 3135)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
123	Email from gussie88bunny@gmail.com to KE Arms re submitted the form from your ‘Contact Us’ page, dated October 2, 2022 (KEA003136 – 3139)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
124	Email from Hall to KE Arms re submitted the form from your “Contact Us’ page dated October 2, 2022 (KEA003140 – 3144)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901
125	Email from Henry to KE Arms re correspondence with GWACS regarding temp limits, dated October 2, 2022 (KEA003145 – 3147)	Relevance Fed. R. Evid. 401 & 403 & Hearsay Fed. R. Evid. 801 & 802 Authentication Fed. R. Evid 901

XII. The parties anticipate the estimated total trial time to be 5 days.

Respectfully submitted,

JONES, GOTCHER & BOGAN, P.C.

s/Tadd J.P. Bogan

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